

TRANSPORTATION & COMMUNICATIONS COMMITTEE

ACTION MINUTES

Thursday, May 6, 2004

Hyatt Regency
711 South Hope Street
Los Angeles, CA 90017

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE TRANSPORTATION & COMMUNICATIONS COMMITTEE. AUDIO-CASSETTE TAPE OF THE ACTUAL MEETING IS NOT AVAILABLE THIS MONTH DUE TO RECORDING EQUIPMENT MALFUNCTION.

The Transportation & Communications Committee of the Southern California Association of Governments held its meeting at the Hyatt Regency in downtown Los Angeles. The meeting was called to order by the Chair, Mayor Lee Ann Garcia, City of Grand Terrace. There was a quorum.

1.0 CALL TO ORDER

Chair Lee Ann Garcia called the meeting to order at 9:42 a.m.

Voting Members Present

Steven Adams
Harry Baldwin
Ron Bates
Lou Bone
Lawrence Dale
Gene Daniels
Richard Dixon
Bonnie Flickinger
Lee Ann Garcia, **Chair**
Frank Gurule
Llewellyn Miller
Greg Pettis
Tod W. Ridgeway
Ron Roberts
Dick Stanford
Paul Talbot
Sidney Tyler

City/County Representing

Riverside, WRCOG
San Gabriel
Los Alamitos
Tustin
Barstow
Paramount
Lake Forest
Moreno Valley, WRCOG
Grand Terrace
Cudahy
Claremont
Cathedral City, CVAG
Newport Beach
Temecula, WRCOG
Azusa
Alhambra
Pasadena

Voting Members Absent

Glen Becerra
Paul Biane
Art Brown
Yvonne Burke

Representing

Simi Valley
County of San Bernardino
Buena Park
County of Los Angeles

George Cole
Bill Davis
Cathryn DeYoung
Judy Dunlap
Gary George
Carol Herrera
Peter Herzog
Sandra Jacobs
Tim Keenan
Robin Lowe
Bonnie Lowenthal
Patsy Marshall
Judy Mikels
Keith Millhouse
Mark Nuaimi
Pam O'Connor
Gary Ovitt
Will Pieper
Bea Proo
Jeffrey Reinhardt
Charles Smith
Greig Smith
Cameron Smyth
David A. Spence
Tom Sykes
Tonia Reyes Uranga
Linda Wilson

Bell, Gateway Cities COG
Simi Valley, VCTC
Laguna Niguel
Inglewood
Redlands, SANBAG
Diamond Bar
Lake Forrest
El Segundo
Cypress
Hemet
Long Beach
Buena Park
Ventura County
Moorpark
Fontana, SANBAG CTC
Santa Monica
Ontario
Desert Hot Spring, CVAG
Pico Rivera
Las Virgenes/Malibu
County of Orange, OCTA
Los Angeles
Santa Clarita, North LA County
Arroyo Verdugo Cities
Walnut
Long Beach
Manhattan Beach/South Bay Cities

Voting Members, Not Elected Officials Present

Rose Casey

Representing

Caltrans, Los Angeles

Voting Members, Not Elected Officials Absent

Board Member

Rotating Board Member

Representing

California, DOT

Air Resources Board

Transportation Commissions – Vacant

Los Angeles County Metropolitan Transportation Authority

New Members

No new members at this time

2.0 PUBLIC COMMENT PERIOD

There were no public comments

3.0 CONSENT CALENDAR

3.1 Approval Items

3.1.1. February 5, 2004 Meeting Minutes

3.2 Receive and File

3.2.1 Intergovernmental Review Clearinghouse Reports

3.2.2 State and Federal Legislative Matrix

MOTION was made to approve the consent calendar items, SECONDED, and UNANIMOUSLY APPROVED.

4.0 ACTION ITEMS

4.1 AB 2628 (Pavley Hybrid Vehicle Use of HOV Lanes)

Al Bowser, Senior Regional Planner, SCAG Staff, presented a presentation on AB 2628, the Pavley Bill, which would extend the right, privilege of hybrid electric vehicles to use HOV Lanes in the State without reference to the number of individuals in the vehicle. Currently electric vehicles and compressed natural gas vehicles also have that privilege.

The basic provisions of the bill would instruct the Department of Motor Vehicles to issue up to fifty thousand decals to owners of hybrid vehicles to make use of HOV Lanes. There is a provision that would include the existing hybrid vehicle owners which currently total in the State about eighteen to nineteen thousand. In terms of performance, the vehicles are very fuel efficient. They are marginally better in terms of emissions.

The one concern Staff has about the bill is that HOV Lanes were originally intended to satisfy three objectives. One was to relieve congestion by taking SOV vehicles off the road and by doing that better fuel economy and better emissions would be obtained from the point of view that the second vehicle or third vehicle off the road. This bill is silent on that. Mr. Bowser talked to author's staff on this and the author is aware that there is a potential opportunity or condition on certain stretches of HOV Lanes in the State that this could exacerbate congestion. Given that there is a provision in the bill that would allow Cal-Trans to kick those vehicles out of those lanes. However, there is also the realization that once you get those individuals in the lanes it may be difficult to remove them.

When AB 2628 is heard for the third time today in the Assembly, it will then go to the Senate and there will be amendments on that side. If that would be the case then perhaps Staff could work with the author and point out where our region has these problems on the HOV system.

Mr. Bowser then stated that he has talked to each of the County Transportation Commissions and they advised him that at this point they are going to wait and until June to take their position to give to the Senate some time to deliberate and debate the bill. On the environmental side the bill is marginally better, but the question that needs to be asked is, "What is it about HOV Lanes that this bill is attempting to fix?", and it probably does not come up with a very strong answer in this respect.

Mr. Ikhrata, SCAG Staff, then advised that the Committee not take an action at today's meeting because he felt that given the Governor of California and CalTrans are supporting the bill, and two or three of our Commissions have not taken action yet so he feels it premature to either support or oppose. Allow the Staff to work with the staff of the authors, monitor it, and then bring it back to the Committee next month or the following month.

Councilmember Paul Talbot, Alhambra, then added that he had made the observation where the identifying decals is listed in the Pros and Cons, would like to suggest that decals need to be large enough and displayed on the right side of the vehicle with some kind of notation so when the average person sees a one person vehicle in the HOV Lanes they don't become immediately convinced that people are abusing the HOV Lanes and then the enforcement starts to become an issue for HOV Lanes. Councilmember Talbot's other observation is that will all the additions we would be corrupting the utilization of the HOV Lanes as they were designed to be used and as a result of that the HOV Lanes on the 105 are very backed up in the afternoon. What is happening is these HOV Lanes are failing, there not moving at any kind of a reasonable pace. The more cars we put in that only have one passenger in it the more we threaten that the entire system is going to break down.

Councilmember Richard Dixon, Lake Forrest, then added that he agreed with Councilmember Talbot on the basis that HOV Lanes were designed for one thing and one thing only, and the very first time you let a specific set of drivers or other vehicles on the HOV Lanes and they were not designed to encourage alternate fuel vehicles. They were designed to encourage fewer cars and alternate fuel vehicles to not encourage fewer cars, they encourage cleaner environment. Those lanes were not designed for that and would like to see the Committee take opposition to this legislation. How could the bill be amended without amending the whole thing out? There nothing more that can be added to justify what the intent of the HOV Lanes are for.

Mr. Bowser, SCAG Staff, then stated that on a very technical basis he did discuss with the author's staff the threshold of fifty thousand decals which might be injurious to some of the links on our system. Mr. Bowser advised the author's staff of what was not seen in the bill, like specific criteria that would define a trigger on when that gets called into question. For some HOV Lanes it might be the very first day the legislation were to pass it would go to effect. It would provide needed guidance to Caltrans as owner/operator of the system. They could map out those HOV Lanes, which could absorb SOV's for some period of time. The legislation has a 2008 sunset date but recently there has been some discussion around moving that sunset date further.

Councilmember Richard Dixon, Lake Forrest, then responded that he did not agree with SCAG offering up amendments to a bill that he personally do not agree should be there to begin with. As a member of the Committee he believe the bill needs to go away period.

Mr. Ikhata, SCAG Staff, then stated that the Committee officially opposed the bill two years ago and unless the Committee takes a new action, that action will stand. Mr. Ikhata added that as the Committee's Staff he did not believe allowing clean fuel vehicles on the HOV Lanes is going to encourage people to buy the vehicle. The issue is to improve mobility.

Councilmember Sidney Tyler, Pasadena, stated he did not feel this was the right incentive for zero emission vehicles. There are and should be some incentives for zero emission vehicles but for any vehicle modifications and technology that helps us with the Air Quality Conformity Plan. Has SCAG taken a policy position to the State and other applicable agencies in support of incentives or someway dealing with engine design and legal requirements that produce emissions?

Mr. Ikhata, SCAG Staff, then responded yes, to the Air Resources Board. SCAG did, and always had the policy to encouraged this in the 1994 RTP, which was the theme of the Plan. Encourage the hybrid, the State is relying very heavily on them, South Coast Air Quality is relying heavily on them. Where we differ from the State is how to encourage them.

Councilman Tyler then inquired where he could find the document which lays out what SCAG's policy position is that we are supplementing with our legislative advocacy program in this area?

Chair Garcia, Grand Terrace, then stated that this was a good point and requested that Staff bring forward the set of policies that the Committee take in position on certain things and there is the legislative program that Mr. Rhodes, SCAG Staff, presented that need to be reviewed to make sure that the Committee is not at odds with themselves. Staff was then instructed to bring this back at a future meeting.

Councilmember Dick Stanford, Azusa, then stated that bill was a bad bill. The Committee had take a position previously and for emphasis and moved that the Committee endorse its previous position. The motion was seconded.

On further discussion, Councilman Paul Talbot, Alhambra, stated that one of the other item he thinks should be brought before the committee was the issue that as long as there is prevailing traffic in this Region. Traffic going to downtown Los Angeles, out of downtown Los Angeles, to downtown Santa Ana, out of downtown Santa Ana. When you have the interconnection of car pool lanes, the 105 is a good example, when you have two full streams of cars traveling at 65 miles per hour and you put those streams of cars together from a transition. From the Harbor Freeway going south on to the 105 Freeway going east in the evening, there is a simple principle of physics that comes into play called gridlock. Councilman Talbot contention is that interconnecting car pool lanes do not work. A lot of money is being spent on these lanes and he sees examples in Los Angeles and Orange County where they do not work. He felt that at some point in the future the Staff has a serious discussion with Cal Trans before more money is wasted on these inter-connectors that either are already congested or will be in the next few years because the car pool will be over crowded.

It was then requested by the Committee that Councilmen's Tyler's suggestion be taken a step further and agendize the Alt Fuel Policy and Incentive Recommendations as it related to air quality conformity for the Region.

The first motion was then clarified to reaffirm the Committee's opposition to the this specific legislation.

It was MOVED (Stanford), SECONDED, and unanimously approved to oppose AB 2628 (Pavley Hybrid Vehicle Use of HOV Lanes).

5.0 INFORMATION ITEMS

5.1 Regional Transportation Improvement Program

Rosemary Ayala, Lead Regional Planner, SCAG Staff delivered a presentation on the program commonly referred to as RTIP. She stated that one of the important things about the RTIP that it is the programming document that implements transportation projects in the Regional Transportation Plan. The TIP is composed of the six County TIP's in the SCAG Region. It is a six-year program, the first year is the 2004-05 and ends with programming in 2009-10. In the working draft document there are currently over nineteen hundred projects and it is approximately a 17 billion-dollar program.

In order for the Federal Agencies to approve the document it must meet five test. The one causing the most difficulty at this point in time, appears to be the financial constraint with the State shortfall, budget constraints, and reauthorization still pending there are quite a bit of unknowns. This entails constant communication with the County Transportation Commissions and Imperial County in order to get this program through adoption. SCAG is moving forward towards the adoption.

Public hearings will be conducted in each county starting in June and one at the SCAG office at the end of July. Staff will come back to the Committee in July and August and will seek Regional Council approval at the August meeting.

Staff is moving forward based on the State Transportation Improvement Program (STIP) 2004 fund estimate that was approved by the California Transportation Commission last summer. The Federal Highway Administration, and Federal Transit Administration have indicated that if an MPO adopts its Federal TIP consistent with the State fund estimate they will approve the Federal TIP. If the State Budget comes in and say for example there are additional shortfalls, reauthorization is lower than anticipated, etc., then SCAG will be locked out from amending or adding new projects as we currently are.

Hasan Ikhata, SCAG Staff, then added that SCAG is moving forward because they are required by law to accept the estimates, which they know are incorrect. SCAG knows that there is not as much money as there were in the estimates. The Federal agencies know that, the State agencies know that. Procedurally we will move forward. The more relevant question would be, what do we do when we adopt the State Budget and it is less? One of two things can happen, the Fed's could write us a letter and say that we are out of conformity or, we can go back and say let us amend the TIP with the new estimate, which would require an amendment to the plan.

Hon. Paul Talbot, City of Alhambra, then asked for clarification on following the guidelines that the Fed's laid out with the estimates. If SCAG goes forward we will be able to continue as long as we don't amend it with our current Regional Transportation Plan and the TIP. How long will we be able to move forward if the funding is not there before the Fed's are going to step in and say we are out of conformity? Hasan Ikhata, SCAG Staff, then stated that if you don't amend, then you can not move anything. Hon. Paul Talbot then stated that he thought if we went with the estimate, we could move the projects as long as they were in the current RTIP and the current plan as long as we don't amend anything. Rosmary Ayala, SCAG Staff, then clarified that the 2004 TIP will not

expire for two years. Hon. Paul Talbot then stated that it would at least protect SCAG from a conformity lapse and not being able to do any projects. Hasan Ikhrata, SCAG Staff, then said that at anytime the Federal Agencies could come and say the State Budget is not consistent.

5.2 Transportation Conformity Update (2004 RTP)

Mr. Charles Keynejad, SCAG Staff, presented a presentation on SCAG's 2004 Regional Transportation Plan (RTP) documents which are being submitted to FHWA, California Division, and the FTA Region IX for their review and action on final conformity determination. The region's conformity status lapses on June 8, 2004 unless the 2004 RTP is in place as federally approved and conforming plan to replace the current 2001 RTP.

Staff will update the Committee members on the federal actions on the 2004 RTP and as well as the adequacy finding of the new emissions budgets in the coming months.

6.0 MAGLEV TASK FORCE REPORT

Councilmember Ron Bates, Los Alamitos, reported that a discussion was had about the initial operating segment and the joint powers agreement, that is moving forward. LADOT, the City of Ontraio, SANDBAG are all working together to come up with the best way to put a joint powers agreement together. The second draft of the Environmental Impact Report Scope of Work which is being reviewed by Staff and will come back to the MAGLEV Task Force. A MAGLEV Technology workshop was held on April 26 to explain Staff's choice of technology. A draft report is being worked on to respond to the EIR for the California High Speed Rail Authority.

7.0 REGIONAL TRANSPORTATION AGENCIES COALITION (RTAC) REPORT

Because of time constraint, there was no report at this time.

8.0 REGIONAL TRANSPORTATION DEMAND MANAGEMENT (RTDM) REPORT

Because of time constraint, there was no report at this time.

9.0 CHAIR REPORT

Chair Garcia emphasized that it was very important that all Committee members attend the next meeting that will be the SCAG Retreat in Temecula. The meeting will entail discussion of structural organization issues.

10.0 STAFF REPORT

No report at this time

11.0 FUTURE AGENDA ITEMS

HOV Lanes and Don Rhodes, SCAG Staff, Legislative Report, and the SCAG Policy Report that Hasan Ikhata, SCAG Staff, referred to in Action Item 4.1.

12.0 ANNOUNCEMENTS

No announcements

13.0 ADJOURNMENT

Chair Garcia adjourned the meeting at 10:30 a.m.

The next committee meeting will be held on June 3, 2004, 10:00 a.m., at the Temecula Creek Inn in Temecula, California.

A handwritten signature in black ink, appearing to read "Hasan M. Ikhata", written over a horizontal line.

Hasan M. Ikhata, Director
Planning and Policy